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UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION

DRY BULK SINGAPORE PTE. LTD,

Plaintiff,

v.

M/V AMIS INTEGRITY (IMO 9732412),
her engines, freights, apparel, appurtenances,
tackle, etc., *in rem*,

Defendant.

Case No. 3:19-cv-01671-IM

IN ADMIRALTY

**STIPULATED MOTION FOR ENTRY
OF JUDGMENT**

MOTION

Subject to the Court's approval, pursuant to the Court's ORDER GRANTING IN PART DEFENDANT'S MOTION TO VACATE ARREST AND FOR PARTIAL SUMMARY JUDGMENT, DENYING PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT ON DEFENDANT'S CLAIM FOR WRONGFUL ARREST, AND

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GRANTING PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT ON VESSEL IN REM'S BUNKER COUNTERCLAIMS (ECF 211) and Fed. R. Civ. P. 54(b), Defendant M/V AMIS INTEGRITY ("Defendant" or "Vessel") and Plaintiff Dry Bulk Pte. Ltd. ("Plaintiff") respectfully stipulate to and request immediate entry of final judgment on some, but fewer than all, of the claims and counterclaims, in the proposed form attached. Specifically, the Parties request a final judgment providing as follows:

1. The warrant for the arrest of the M/V AMIS INTEGRITY ("Vessel") (ECF 15) is VACATED.
2. Defendant is no longer required to maintain the \$2.5 million RELEASE BOND (ECF 40, ECF 40-1) for the benefit of Plaintiff Dry Bulk Singapore, Pte. Ltd. ("Plaintiff") for the release of the Vessel following the arrest. Defendant is permitted to withdraw the RELEASE BOND and/or allow the RELEASE BOND to expire or lapse.
3. All claims asserted by Plaintiff against the Vessel *in rem*, including Plaintiff's claims for tortious interference, conversion, and unjust enrichment, are hereby dismissed with prejudice. No claims by Plaintiff against Defendant remain in this action other than claims for costs and attorney's fees.
4. With respect to the arrest of the Vessel and Plaintiff's claims for tortious interference, conversion, and unjust enrichment, Defendant shall submit a cost bill and affidavit or declaration and appropriate documentation no later than 14 days of the entry of judgment in accordance with LCR 54 and other applicable law.
5. Defendant's counterclaims for "Breach of Contract/Unjust Enrichment (Assignment of Claims)" and "Unjust Enrichment" (ECF 126) against Plaintiff are hereby dismissed with prejudice.
6. With respect to the dismissal of Defendant's counterclaims, Plaintiff shall submit a cost bill and affidavit or declaration and appropriate documentation no later than 14 days of the entry of judgment in accordance with LCR 54 and other applicable law.

There is no just reason for delay for vacating the arrest of the Vessel, allowing Defendant to withdraw the RELEASE BOND and/or allowing the RELEASE BOND to

expire or lapse, and entering final judgment in the proposed form attached. Defendant continues to incur premium expenses associated with maintaining the \$2.5 million RELEASE BOND obtained for the release of the Vessel following Plaintiff's arrest of the Vessel. In accordance with LR 7-1, Defendant certifies that counsel for the parties conferred via videoconferences, occurring on March 20, 2023, and March 22, 2023, and other email communications. Accordingly, the Parties stipulate to the entry of judgment in the proposed form.

DATED this 3rd day of April 2023.

MILLER NASH LLP

s/ Ian M. Christy, per email authorization

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CERTIFICATE OF SERVICE

I hereby certify that on April 3, 2023, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to The Honorable Karin Immergut and serve it on all associated counsel.

I certify under penalty of perjury under the laws of the United States and the States of Washington and Oregon that the foregoing is true and correct.

Signed at Seattle, Washington this 3rd day of April 2023.

s/ Oliver Kinder

Oliver Kinder, Legal Assistant

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